

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
Eastern Division**

William B. Lyons, <i>et al.</i> ,)	
Plaintiffs,)	Case No. 2:20-cv-3070
v.)	Judge Graham
City of Columbus, <i>et al.</i> ,)	
Defendants.)	

* * * * *

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO RESPOND TO DEFENDANTS' MOTION TO DISMISS**

Now come Plaintiffs William Lyons, *et al.* ("Plaintiffs" or "Petitioners Committee"), by and through counsel, and move for an extension of time to respond to the Motion to Dismiss filed by Defendants City of Columbus *et al.* ("the City") (ECF No. 13 (hereinafter "City's MTD")).

Plaintiffs' counsel has consulted with the City's counsel, who agreed to an extension of Plaintiffs' response to October 12, 2020.

Plaintiffs move the Court for this extension in the hopes that it will give the U.S. Supreme Court time to resolve the June 16, 2020, Emergency Application to Vacate Stay currently pending in the US Supreme Court, docket at <https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/19a1054.html>, wherein the plaintiffs have asked the Supreme Court to vacate *Thompson v. DeWine*, 959 F.3d 804 (6th Cir. 2020), a decision that has considerable bearing on the disposition of the instant matter.

For example, the City relies on *Thompson* on almost every page of its Motion to Dismiss

argument (ECF No. 13, at 9-17). Plaintiffs suggest that it would be most efficient for this Court to not have to review all the parties' briefs or issue an opinion when an emergency application to vacate the leading Sixth Circuit precedent is currently pending before the Supreme Court. The Supreme Court will commence its October Term about that point in the fall and likely will have decided the emergency application in *Thompson*. See SCOTUS calendar at https://www.supremecourt.gov/oral_arguments/2020TermCourtCalendar.pdf.

The parties agree to revisit Plaintiffs' response date as it gets closer if the *Thompson* stay order has not been ruled on by the Supreme Court.

Respectfully submitted,

/s/ Terry J. Lodge
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CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2020, I deposited a copy of the foregoing Unopposed Motion for Extension of Time in the Electronic Case Filing system maintained by the Court, and that according to protocols of the system, it was electronically served upon all counsel registered to receive electronic filings.

/s/ Terry J. Lodge
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Counsel for Plaintiffs